

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

ORIGINAL

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SEP 28 2018

SC Court of Appeals

Certiorari to Spartanburg County
R. Scott Sprouse, Circuit Court Judge

S.C. SUPREME COURT

SEP 27 2018

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DAVID DWIGHT SMITH,

PETITIONER,

v.

STATE OF SOUTH CAROLINA,

RESPONDENT

PETITION FOR EXTENSION TO FILE
BRIEF OF PETITIONER

The undersigned counsel would respectfully request a **fifteen-day extension until October 12, 2018**, in which to file the brief of petitioner in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following exigent circumstances:

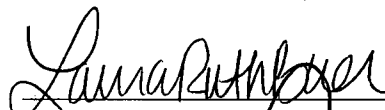
1. The brief of petitioner in this case is due to be served and filed today, having been extended by one prior order of this Court.
2. Counsel has been working on the brief of petitioner in the present case and will make reasonable efforts to file it before the extended deadline.
3. Counsel is presently preparing for an oral argument in State v. John Calvin Sledge, to be held before the Court of Appeals on October 1, 2018. Counsel was not aware of the scheduling of the Sledge argument when she previously requested only a



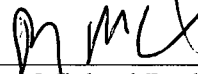
fifteen-day extension in this case. Counsel attended the Public Defender Conference in Myrtle Beach, South Carolina from September 23-25, 2018. Counsel filed the initial brief of respondent in State v. Ronald Hakeem Mack with the Court of Appeals on September 10, 2018. Counsel filed the petition for writ of certiorari in Kenyon Brown v. State with this Court on August 15, 2018. Counsel filed the amended petition for writ of certiorari to the Court of Appeals in Billy Phillips v. State with this Court on August 7, 2018. Counsel filed the brief of petitioner in Kevin Casey v. State with the Court of Appeals on July 30, 2018. Counsel appeared for a status conference in State v. Michael Smith at the Kershaw County Courthouse on July 27, 2018, and is presently working on a reconstruction affidavit and proposed order for the case.

WHEREFORE, the undersigned counsel would respectfully request a fifteen-day extension until October 12, 2018, in which to file the brief of petitioner in this case. Counsel requests that the time limits for filing the brief of petitioner be held in abeyance pending a ruling on this motion.

Respectfully submitted,



Laura Ruth Baer
Appellate Defender



Robert Michael Dudek
Chief Appellate Defender

September 27, 2018

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Certiorari to Spartanburg County
R. Scott Sprouse, Circuit Court Judge

DAVID DWIGHT SMITH,

PETITIONER,

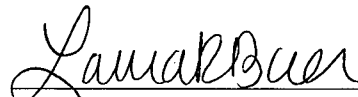
V.

STATE OF SOUTH CAROLINA,

RESPONDENT

CERTIFICATE OF SERVICE

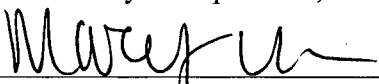
The undersigned attorney hereby certifies the petition in which to file the brief of petitioner in the above referenced case has been served upon Jordan Cox, Esquire, Assistant General, Office of the Attorney General, Rembert Dennis Building, 1000 Assembly Street, Rm. 519, Columbia, SC 29201, this 27th day of September, 2018.



Laura R. Baer
Appellate Defender

ATTORNEY FOR PETITIONER

SUBSCRIBED AND SWORN TO before me
this 27th day of September, 2018.

 (L.S.)
Notary Public for South Carolina
My Commission Expires: May 12, 2027

S.C. SUPREME COURT
SEP 27 2018
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Matthews, Lindsey

From: Matthews, Lindsey
Sent: Friday, September 28, 2018 2:10 PM
To: Kitchings, Jenny
Subject: Miscellaneous filings to be sent to the Court of Appeals via inter-departmental delivery
Attachments: 2018_09_28_11_42_24.pdf; 2018_09_28_11_40_28.pdf; 2018_09_28_11_40_07.pdf; 2018_09_28_11_37_25.pdf; 2018_09_28_11_37_08.pdf

Good afternoon.

Two filings were mistakenly accepted for filing at this Court and will be sent over via inter-agency delivery today. You should find four documents related to Bank of America, N.A., v. Catherine L. Bishop, and one document related to David Dwight Smith v. State of South Carolina.

For the sake of expedience I have scanned the documents and attached them to this email.

Thank you.

Sincerely,
Lindsey M. Matthews
South Carolina Supreme Court
PO Box 11330
Columbia, SC 29201
803-734-1080
803-734-1499 (fax)

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